

ORTIZ, Diana

American Nun. Kidnapped and sexually assaulted Nov 89.

(5)(1)
(5)(2)

Central Intelligence Agency
Inspector General

REPORT OF INVESTIGATION



(b)(1)
(b)(3)
(b)(6)

GUATEMALA: VOLUME I
OVERVIEW
(95-0024-IG)

July 15, 1995

Frederick P. Hitz
Inspector General

A. R. Cinquemani
Deputy Inspector General
for Investigations

Investigators:



Assistants:



All portions are
classified ~~SECRET~~

Approved for Release
Date OCTOBER 1997

~~SECRET~~

Copy 75 of 100

(2)

OFFICE OF INSPECTOR GENERAL
INVESTIGATIONS STAFF

REPORT OF INVESTIGATION
GUATEMALA

GUATEMALA: VOLUME I
OVERVIEW
(95-0024-IG)

(b)(1)
(b)(3)

July 15, 1995

INTRODUCTION

1. On January 27, 1995, based upon a review of relevant intelligence reporting from the CIA Station in Guatemala, Acting Director of Central Intelligence Admiral William O. Studeman asked the Inspector General (IG) to investigate the relationship between CIA and Guatemalan Army officer Julio Roberto Alpirez. [REDACTED] Admiral Studeman requested that the investigation include CIA's knowledge of Alpirez's alleged involvement in the killing of U.S. citizen Michael DeVine and the possible death of Guatemalan insurgent leader Efrain Bamaca Velasquez.

[REDACTED]

6. On March 30, 1995, the President directed that the Intelligence Oversight Board (IOB) conduct a government-wide review of allegations surrounding the death of DeVine and the disappearance of Bannaca, as well as any related matters. The IG investigation initially requested by Admiral Studebaker was broadened to include the SSCI's questions, the IOB's questions, and other issues that developed during the public debate that followed Congressman Torricelli's allegations. For example, a May 5, 1995 letter from Congressman Torricelli to the IG reported allegations by a former Drug Enforcement Administration agent that DeVine was killed because he had discovered a narcotics trafficking operation run by Colonel Alpirez. According to this second letter from the Congressman, the CIA concealed this information from DOJ and prevented DOJ from finding a political motive for the killing, thereby constituting an obstruction of justice. Finally, a May 11, 1995 letter from the Chairman of the IOB asked the IG to look into allegations that relevant documents were being sent to former Agency employees to conceal them from investigators. (b)(1) (b)(3)

SCOPE OF INVESTIGATION

7. The Acting DCI's January 27, 1995 request for an IG investigation, as recorded in a February 3, 1995 memorandum, referred to "recently obtained information suggesting that [REDACTED] Alpirez may have murdered the Guatemalan insurgent leader Efrain Bannaca Velasquez." Accordingly, the IG was requested to address the Agency's

relationship with Alpírez; its knowledge of any involvement by him in human rights abuses, including the DeVine killing; the Agency response to derogatory information about Alpírez, including that related to the DeVine and Bamaña killings; whether CIA complied with relevant statutes, regulations, and procedures pertaining to human rights and congressional notification; and whether different actions would have resulted had current authorities been in effect.

[REDACTED]

(b)(1)
(b)(3)

9. On April 7, 1995, the President's IOB issued Terms of Reference for its inquiry, as directed by the President, into any and all aspects of the DeVine and Bamaña cases, as well as related matters. The Terms of Reference also included any intelligence relating to the torture, disappearance, or death of any U.S. citizens in Guatemala since 1984, including Sister Diana Ortiz in 1989, Griffith Davis in 1985, and Nicholas Blake in 1985. Further, detailed questions were raised by the IOB concerning dissemination practices, the U.S. intelligence relationship with Guatemala, and the process for validating sources of information. The CIA, Department of Defense (DoD), and State Department IGs were asked to address these matters in their investigations insofar as they were applicable to those agencies.

~~SECRET~~

[REDACTED]

[REDACTED]

11. IG Reports of Investigation are usually issued individually and present each case independently. Because of the nature and scope of the issues presented in connection with the Agency's activities in Guatemala, a multi-volume approach is desirable to present the individual cases, but an overview is also necessary to present the overall portrait they present of Agency activities in Guatemala.

(b)(1)
(b)(3)

12. Volume One, with Exhibits A through G, presents such an overview. It describes the context within which the events occurred, provides the basic facts of the individual cases, discusses the general allegations that have been made regarding the Agency and the activities it has conducted in Guatemala and presents conclusions and recommendations. The Exhibits outline the legal and policy framework within which the Agency operated.

13. [REDACTED]

[REDACTED]

[REDACTED]

July 21, 1995

National Security Agency
Office of the Inspector General
9800 Savage Road
OPS Bldg. 2B, Room 6076
Fort Meade, Maryland 20755-6000

Attention: [REDACTED]

Dear [REDACTED]

In response to your request, enclosed are the interview questions and answers provided by Agency employees. [REDACTED]

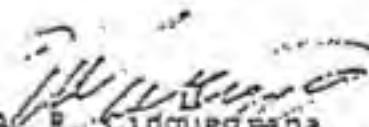
Because certain information contained in the interview questions and answers is classified for national security reasons, we request that you afford the information the level of protection required for such materials. As you know, any use of the material for investigative purposes should be coordinated with this Office.

Thank you very much for your cooperation in this regard.

(b)(1)

(b)(3)

Sincerely,


A. R. Cinquemani
Deputy Inspector General
for Investigations

Enclosure:
As stated

All portions are
classified SFCI

P. 1

Approved for Release
Date October 15, 1997

SECRET

(3)

As follows are the questions and answers that provided:

Are you aware of the involvement of any DOD personnel (either military or civilian) with Guatemalan military or civilian personnel who had any knowledge of or may have been involved directly or indirectly in the death of Michael DeVine or the fate of Efrain Samaca Velasquez?

had no direct knowledge of the involvement of DOD personnel in the deaths.

Are you aware of the involvement of any DOD personnel with
Guatemalan Army Colonel Julio Roberto Alpizar?

Was not aware of any involvement of DOD personnel with SIO 1022.

Are you aware of any other information pertaining to the DOB that is in any way related to these individuals or events.

[REDACTED] was not aware of any information.

Do you have any knowledge of the involvement of DOD personnel in the destruction of records or failure to report information concerning DeVine or Bemaca?

[REDACTED] did not have any knowledge of the destruction of records or the failure to report information by DOD personnel.

Do you have any knowledge of violations of the law by DOD personnel in regard to Guatemala?

[REDACTED] was not aware of any violations by DOD
[REDACTED]

Are you aware of any U.S. Government Employees or intelligence assets directly or indirectly involved in the death of Michael DeVine and/or the disappearance of Brian

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[REDACTED] was not aware of any U.S. Government employee's involvement.

[REDACTED]
[REDACTED]
Are you aware of any information, that the U.S. Government obtained regarding DeVine's death and Banaca's disappearance before the two incidents took place? And, if so, are you aware of any suppression or distortion of such information?

[REDACTED] was not aware of the receipt of any information prior to the incidents, [REDACTED] was not aware of the suppression or distortion of any information.

Are you aware of any information the U.S. Govt. obtained concerning these two incidents after they occurred? And, if so, are you aware of any suppression or distortion of such information? (b)(1) (b)(7)

[REDACTED] was not aware of the receipt of any information on the two incidents, and [REDACTED] was not aware of any suppression or distortion in this regard.

Do you believe that possible links between the two cases were explored and adequately explained and brought to the attention of policy makers?

[REDACTED] did not know and could not say if the links were explored and brought to the attention of the policy makers.

Are you aware of any information that was provided to the families of DeVine and Banaca? Are you aware of the policies and procedures that govern the dissemination of intelligence information to these families?

[REDACTED] was not aware of any information which was provided to the families and could not comment on the policies and procedures that govern the dissemination of the information.

What do you recall about human rights abuses against other U.S. citizens in Guatemala, especially the deaths of

Griffith Davis and Nicholas Blake in 1985 and the alleged torture of Sister Diana Ortiz in 1989?

[REDACTED] was aware of Ortiz, but only from reading about her in the newspapers. In regard to the other two individuals, [REDACTED] had no knowledge.

Was information involving the DeVine, Batmaca and other cases identified above disseminated in a timely and accurate manner within the intelligence community and to U.S. policy makers at State, the White House and Defense? [REDACTED]

[REDACTED] was not aware and did not get involved in the dissemination of information to policy makers and the intelligence community.

Are inter-agency procedures for dissemination adequate?

[REDACTED] was not aware of the procedures.

Were there patterns of human rights abuse by U.S. intelligence assets? If so, were these patterns identified within the intelligence community and explained to policy makers? (b)(1) (b)(2)

[REDACTED] was not aware of any patterns of abuse by U.S. intelligence assets.

Within the Embassy, was intelligence information shared with the Chief of Mission in a timely and complete manner? [REDACTED]

[REDACTED] the information [REDACTED] provided was shared in a timely and complete manner.

Was any information withheld from the Chief of Mission, other senior Embassy officers, policy makers in Washington or the Congress?

[REDACTED] was not aware of any information which was withheld.

Were U.S. Chiefs of Mission kept appropriately informed about the intelligence community's liaison relationships with the Guatemalan Government? And, can you state to what extent CIA is required to keep Chiefs of Mission informed?

[redacted] was not aware if the Chiefs of Mission were kept informed. [redacted] had no knowledge as to what the requirements were.

A stack of approximately 15 blacked-out pages, likely redacted documents. The pages are completely obscured by a thick black ink, with only the edges and some binding artifacts visible. The stack is oriented horizontally across the frame.

(b)(1)

Do you know of any purposeful destruction of documents regarding human rights violations in Guatemala?

[REDACTED] was not aware of any destruction.

Did you destroy or do you know of or are you aware of any destruction of records in any form?

[REDACTED] was only aware of the routine shredding of documents.

Do you know of or is there anything else that we should know that we have not asked or discussed with you?

there was nothing else.

[REDACTED]

As follows are the questions and answers that [REDACTED] provided:

[REDACTED]

Are you aware of the involvement of any DOD personnel (either military or civilian) with Guatemalan military or civilian personnel who had any knowledge of or may have been involved directly or indirectly in the death of Michael DeVine or the fate of Efrain Samaca Velasquez?

[REDACTED] had no direct knowledge of the involvement of DOD personnel in the deaths.

Are you aware of the involvement of any DOD personnel with Guatemalan Army Colonel Julio Roberto Alpírez?

[REDACTED] was not aware of any involvement of DOD personnel with Alpírez. (b)(1)

Are you aware of any other information pertaining to the DOD that is in any way related to these individuals or events? (b)(1)

[REDACTED] was not aware of any additional information.

Do you have any knowledge of the involvement of DOD personnel in the destruction of records or failure to report information concerning DeVine or Samaca?

[REDACTED] did not have any knowledge of the destruction of records or the failure to report information by DOD personnel.

Do you have any knowledge of violations of the law by DOD personnel in regard to Guatemala?

[REDACTED] was not aware of any violations by DOD personnel.

Are you aware of any U.S. Government Employees or intelligence assets directly or indirectly involved in the death of Michael DeVine and/or the disappearance of Efrain Samaca Velasquez?

[REDACTED] was not aware of any U.S. government employees involvement.

[REDACTED]

Are you aware of any information, that the U.S. Government obtained regarding DeVine's death and Banaca's disappearance before the two incidents took place? And, if so, are you aware of any suppression or distortion of such information?

[REDACTED] was not aware of the receipt of any information prior to the incidents. [REDACTED] was not aware of the suppression or distortion of any information.

(b)(1)

Are you aware of any information the U.S. Govt. obtained concerning these two incidents after they occurred? And, if so, are you aware of any suppression or distortion of such information?

(b)(1)

[REDACTED] was not aware of the receipt of any information on the two incidents, and [REDACTED] was not aware of any suppression or distortion in this regard.

Do you believe that possible links between the two cases were explored and adequately explained and brought to the attention of policy makers?

[REDACTED] did not know and could not say if the links were explored and brought to the attention of the policy makers.

Are you aware of any information that was provided to the families of DeVine and Banaca? Are you aware of the policies and procedures that govern the dissemination of intelligence information to these families?

[REDACTED] was not aware of any information which was provided to the families and could not comment on the policies and procedures that govern the dissemination of the information.

What do you recall about human rights abuses against other U.S. citizens in Guatemala, especially the deaths of

Griffith Davis and Nicholas Blake in 1985 and the alleged torture of Sister Diana Ortiz in 1989?

[REDACTED] was aware of Ortiz because [REDACTED] had heard that former Ambassador Stroock had been trying resolve the issues surrounding Ortiz. [REDACTED] remembered [REDACTED] messages that mentioned Ortiz, however, [REDACTED] did not recall any [REDACTED] as being of significance.

Was information involving the DeVine, Batista and other cases identified above disseminated in a timely and accurate manner within the intelligence community and to U.S. policy makers at State, the White House and Defense? [REDACTED]

[REDACTED] was not aware and did not get involved in the dissemination of information to policy makers and the intelligence community.

Are inter-agency procedures for dissemination adequate?

[REDACTED] was not aware of the procedures.

Were there patterns of human rights abuse by U.S. intelligence assets? If so, were these patterns identified within the intelligence community and explained to policy makers?

[REDACTED] was not aware of any patterns of abuse by U.S. intelligence assets.

Within the Embassy, was intelligence information shared with the Chief of Mission in a timely and complete manner? [REDACTED]

[REDACTED] believed that the information [REDACTED] provided was shared in a timely and complete manner.

Was any information withheld from the Chief of Mission, other senior Embassy officers, policy makers in Washington or the Congress?

[REDACTED] was not aware of any information which was withheld.

Were U.S. Chiefs of Mission kept appropriately informed about the intelligence community's liaison relationships with the Guatemalan Government? And, can you state to what extent is CIA required to keep Chiefs of Mission informed?

[REDACTED] is aware that Chiefs of Mission are to be kept informed. [REDACTED] knows that if something of importance [REDACTED] it must be provided to the COS and to the Chiefs of Mission.

A stack of approximately 15 black, rectangular, textured objects, possibly pieces of wood or metal, arranged in a loose pile. The objects are dark and have a rough, irregular surface texture. They are stacked in several layers, with some objects partially hidden behind others. The overall appearance is that of a collection of raw materials or components.

(b)(5)

Do you know of any purposeful destruction of documents regarding human rights violations in Guatemala?

[REDACTED] was not aware of any destruction.

Did you destroy or do you know of or are you aware of any destruction of records in any form?

[REDACTED] was not aware of any destruction of documents.

[REDACTED]

Do you know of or is there anything else that we should know that we have not asked or discussed with you?

there was nothing else.

~~SECRET~~~~NOFORN~~~~NOFORN/TRACT~~~~HNT/TEL~~

PAGE:1154

INQUIRE=DDC17D

ITEM NO=00090740

ENVELOPECDSN = LGX363 MCN = 92045/10062 TOR = 920450616
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ZHY 55555

HEADER

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FM JOINT STAFF WASHINGTON DC

INFO RUEAHQA/CSAF WASHINGTON DC

RUEKCCG/USDP-CCC WASHINGTON DC

RUCQVAB/USCINCSOC INTEL OPS CEN MACDILL AFB FL

RUEALGX/SAFE

R 140547Z FEB 92

FM CIA

TO RUCLAPA/12AIS BERGSTROM AFB TX

RHFIAAA/15AF MARCH AFB CA

RUHMEGA/24 COMPW HOWARD AFB

RUCIPGA/325FW TYNDALL AFB FL/IN

RUHVAAA/3AD/IN HICKHAM AFB HI

RUEBEJA/436 MAW/DOI DOVER AFB

RUCIBBA/9TH AF SHAH AFB

RHCDAAA/AFSOC HURLBURT FLD FL

RUCBSAA/AIC NORFOLK VA

RHCPMXA/AIR UNIVERSITY

RULNNRA/ARMY WAR COLLEGE

RHFJKXT/CARIBROC KEY WEST FL

RUEOFAA/CDR JSOC FT BRAGG NC

RUEOHNNA/CDR USASOC FT BRAGG NC

RUEOGHA/CDR1930INFBDE FT CLAYTON PM

RUEOACC/CDR4THPSYOPGP FT BRAGG NC

RUEATAC/CDRUSAITAC WASHDC

RULYOWA/CG FOURTH MEB

RUCBLFJ/CG II MEF

RUCKMOA/CG SECOND FSSG

RUCKDDA/CG SECOND MARDIV

RUCKFCA/CG SECOND MAW

RUCBLFA/CGFMFLANT

RUSHMOA/CINCEUR

RUCOSYA/CINCLANTFLT DET 50 FT AMADOR PM

RUCBSAA/CINCLANTFLT NORFOLK VA

RHDLCLNE/CINCSNAVEUR LONDON UK

RULSJGA/COGARD INTELCOORDCEN WASHINGTON DC

RULSJGA/COMDT COGARD WASHINGTON DC

RHDLSDP/COMFAIR KEFLAVIK

RUWDTAA/COMNAVSPECWARCOM CORONADO CA

RULYVBA/COMSECONDFLT

RUETIAS/COMUSARMY FT MEADE

RUEBBJB/DEA EL PASO INTEL CENTER/CIA REP EPIC

RUEAUSA/DEPT OF LABOR

RUEHC/DEPT OF STATE

~~SECRET~~~~NOFORN~~~~NOFORN/TRACT~~~~HNT/TEL~~

~~SECRET~~~~NOFORN~~~~NOCONTRACT~~~~UNINTTEL~~

PAGE:1155

RUEKJCS/DIA WASHINGTON DC
RULKNS/DIRNAVINVSVR WASHDC
RUETIAA/DIRNSA
RUKGNLA/DLA CAMERON STATION VA
RUKGNHA/FAA
RUCFAAA/FEMA SF WASH DC
RUEBGHA/FEMA WASHDC
RUCEAAB/HQ AFSPACECOM INTEL PETERSON AFB CO
RUEBNBA/HQ AFTAC-IN PATRICK AFB FL
RUEADWD/HQ DA
RHDIAAA/HQ TAC
RUVESLA/HQ USSPACECOM/CIA REP PETERSON AFB COLO
RUEBNJA/INS
RUWSMXI/MAC INTEL CEN SCOTT AFB IL
RHCFMDD/MARDET UNITAS
RUWMHJA/NAVSTKWARCEN
RUEDASA/NAVY WAR COLLEGE
RHCCAAA/NE AD SECTOR GRIFFIS AFB NY/IN
RUEAIJU/NPIC
RUWMFLA/NWADS/IN MCCHORD AFB
RULWAAE/SAC CIA REP
RHEPAAB/TAC IDHS FACILITY Langley AFB VA
RUEATRS/TREASURY DEPT
RULYHOV/TWO TWO MEU
RUHMEGA/USAFCO/LA
RUCJACC/USCINCCENT MACDILL AFB
RUCBSAA/USCINCLANT NORFOLK VA
RUHQHQA/USCINCPAC HONOLULU HI
RHLBAAA/USCINCSO QUARRY HEIGHTS PM
RUCQVAB/USCINCSOC INTEL OPS CEN MACDILL AFB
RULYVGA/USCOMSOLANT
RUEHIA/USIA WASHDC
RUWSMXI/USTRANSCOM INTEL CEN SCOTT AFB IL
RUCNDT/USUN NEW YORK
RHEHAAA/WHITE HOUSE
RHEHAAA/WHITE HOUSE SITUATION ROOM
BT
~~CONTROLS~~

~~SECRET NOFORN NOCONTRACT UNINTTEL~~
SECTION 1 OF 2
CITE CIA 229450

AFTAC PATRICK AFB/IN; DEPT OF STATE FOR SECSTATE AID; USUN NEW YORK
FOR POLAD; DIA FOR LA; CINCEUR FOR POLAD; USCINCSO QHTS PANAMA FOR
POLAD; AIR UNIVERSITY FOR STATE REP AND CIA REP; NAVY WAR COLLEGE
FOR STATE DEPT REP; TREASURY DEPT ATTN MRS BECK DADS; COMUSARMY FT
MEADE FOR SPECIAL RESEARCH DET; COMDT COASTGUARD FOR POLAD; HQ TAC
FOR TACOPS/INDI; HQS DLA FOR CIS; BERGSTROM AFB TEX FOR 67 TRW/IN;
NPIC FOR PB CABLES; CINCUSAFE FOR INOCN XPHN; MAC INTEL CENTER SCOTT
AFB; CDRUSAITAC WASHDC FOR GIRD; HQ AFSC HURLBURT FLD FL//IN//; CDR
USASOC FT BRAGG NC//AQIN//; COMNAVSPECHARCOM CORONADO CA//N2//;

~~SECRET~~~~NOFORN~~~~NOCONTRACT~~~~UNINTTEL~~

~~SECRET~~

~~NOFORN~~

~~NOCONTRACT~~

~~NRNTEL~~

~~PAGE: 1156~~

CDR4THPSYOP GP FT BRAGG NC//ASOF POG//; 24 COMP WING HOWARD AFB DDI//
26AD LUKE AFB ARIZ//INEZ; 92BMM FAIRCHILD AFB WA/IN, 12 TIS
BERGSTROM AFB FOR INI, INS ATTN COINT, 9TH AFB SHAW SC//IN//,
CENTCOM MACDILL AFB FL//J2//, FAA//ATTN ACS-400; NE AD SECTOR
GRIFFISS AFB PASS TO IN; CG II MEF//G2//FOR SECOND SRI GROUP; HQ
AFSPACECOM/IN; USTRANS INTELCEM SCOTT AFB//CIA REP; COMFAIR KEFLAVIK
IC//N2//; HQ AFSPACECOM PETERSON AFB CD/INTEL/INO/INA/INU.

FROM: DDI/O/CPAS

/***** THIS IS A COMBINED MESSAGE *****

BODY

SUBJECT: LATIN AMERICA BRIEF [REDACTED] FOR 14 FEBRUARY
1992.

CONTENTS

1. IN BRIEF [REDACTED]
2. GUATEMALA: SHOWING PROGRESS ON KEY ISSUES [REDACTED]

1. IN BRIEF [REDACTED]

AMERICAS

2. GUATEMALA: SHOWING PROGRESS ON KEY ISSUES [REDACTED]

SINCE ASSUMING OFFICE A YEAR AGO, PRESIDENT SERRANO HAS
DIRECTED A STRONG ECONOMIC RECOVERY, MADE PROGRESS IN IMPROVING
RESPECT FOR HUMAN RIGHTS, WORKED TO MAKE THE MILITARY MORE
RESPONSIVE TO CIVILIAN AUTHORITY, AND DEMONSTRATED HIS COMMITMENT TO
ATTACKING NARCOTICS TRAFFICKING. HIS COMBATIVE PERSONALITY AND
INABILITY TO BUILD CONSENSUS, HOWEVER, COULD JEOPARDIZE FURTHER
ADVANCES. [REDACTED]

ONE OF SERRANO'S CHIEF ACCOMPLISHMENTS HAS BEEN THE EARLY
SUCCESS OF HIS ECONOMIC POLICIES. HIS REFORM PROGRAM HAS RESULTED IN
REAL GNP CONTINUING TO GROW AT ABOUT 3 PERCENT, INFLATION FALLING
FROM 60 TO 10 PERCENT, AND FOREIGN EXCHANGE RESERVES INCREASING FROM
\$50 MILLION TO \$600 MILLION. A POLL CONDUCTED THIS MONTH, HOWEVER,
SHOWS SERRANO'S POPULAR APPROVAL RATING HAS SLIPPED FROM 42 TO 25
PERCENT SINCE JULY, IN PART BECAUSE OF HIS BELT-TIGHTENING POLICIES.
[REDACTED]

HUMAN RIGHTS RECORD IMPROVING

~~SECRET~~

~~NOFORN~~

~~NOCONTRACT~~

~~NRNTEL~~

[REDACTED], SERRANO HAS SOUGHT TO IMPROVE GUATEMALA'S HUMAN RIGHTS RECORD. IN AUGUST, FOR EXAMPLE, HE CREATED A CABINET-LEVEL COMMISSION TO PROBE HUMAN RIGHTS VIOLATIONS. IN ADDITION, AN ARMY OFFICER AND AN ENLISTED MAN HAVE BEEN CONVICTED AND IMPRISONED FOR THE MASSACRE OF 14 INDIANS IN DECEMBER 1990--UNPRECEDENTED PUNISHMENT FOR MILITARY PERSONNEL. THE EMBASSY ALSO REPORTS THAT POLITICALLY MOTIVATED MURDERS ARE BECOMING LESS FREQUENT, LARGEY BECAUSE OF THE PRESIDENT'S INITIATIVES. THE MURDER OF US CITIZEN MICHAEL DEVINE IN 1990 BY ARMY TROOPS IS STILL UNSOLVED AND REMAINS THE KEY STUMBLINGBLOCK TO A RESUMPTION OF US MILITARY AID. [REDACTED]

THE FIGHT AGAINST NARCOTICS

SERRANO HAS MADE STRIDES IN COUNTERING THE TRANSSHIPMENT OF COCAINE THROUGH GUATEMALA TO THE US, BUT HE HAS ACHIEVED LITTLE IN OTHER COUNTERNARCOTICS AREAS. AN EVANGELICAL CHRISTIAN WHO VIEWS DRUG TRAFFICKING AS IMMORAL AND AS A THREAT TO SOCIETY, HE IS STRONGLY COMMITTED TO UPGRADING GUATEMALA'S ANTIDRUG CAPABILITIES. SERRANO HAS ACCEPTED DIRECT US ASSISTANCE--DESPITE HIS GENERAL WARINESS OF INVOLVING WASHINGTON IN GUATEMALAN AFFAIRS--INCLUDING SUPPORT FOR OPERATION CADENCE, A BILATERAL QUICK-REACTION FORCE. AS A RESULT, A RECORD 17.5 METRIC TONS OF COCAINE WERE SEIZED LAST YEAR. [REDACTED]

NEVERTHELESS US-BACKED ANTIDRUG LEGISLATION HAS LANQUISHED IN CONGRESS FOR A YEAR, AND THE EXTRADITION OF TRAFFICKERS TO THE US REMAINS A SLOW AND UNCERTAIN PROCESS. GUATEMALA ALSO CONTINUES TO BE A SIGNIFICANT REGIONAL PRODUCER OF RAW OPIUM GUM, EVEN THOUGH A BILATERAL OPIUM POPPY ERADICATION PROGRAM HAS HELPED PREVENT AN INCREASE IN TOTAL CULTIVATION. [REDACTED]

OUTLOOK

SERRANO IS LIKELY TO CONTINUE TO FOCUS ON THE PEACE PROCESS AND ON NORMALIZING RELATIONS WITH BELIZE--ISSUES IN WHICH HE HAS BEEN PERSONALLY INVOLVED. PROSPECTS ARE GOOD FOR RESOLVING BOTH OF THESE LONGSTANDING PROBLEMS THIS YEAR, WHICH WOULD BOOST GUATEMALA'S INTERNATIONAL IMAGE BUT PROBABLY WOULD DO LITTLE TO EXPAND THE PRESIDENT'S POWER BASE AT HOME. HIS FIRM OPPOSITION TO DRUG TRAFFICKING AND HIS DESIRE TO BE SEEN AS A REGIONAL LEADER MAY PROMPT HIM TO SPONSOR INCREASED MULTILATERAL COUNTERNARCOTICS INITIATIVES. [REDACTED]

***** BEGINNING OF SECTION 002 *****

POLITICAL MISCALCULATIONS COULD COMPLICATE SERRANO'S PROGRESS ON THE DOMESTIC FRONT. HIS RECENT FAILURE TO MARSHAL SUPPORT BEFORE MAKING A BID TO GAIN CONTROL OF THE LEGISLATURE AND THE SUPREME COURT HAS LEFT HIM IN A WEAK POSITION TO PUSH CRITICAL BILLS--SUCH AS A FISCAL REFORM PROPOSAL--THROUGH THE CONGRESS. SIMILAR MISSTEPS

~~NOFORN~~

~~SECRET~~
~~NOFORN~~
~~TRACT~~

~~UNIVTEL~~

PAGE:1158

COULD JEOPARDIZE THE ECONOMIC RECOVERY, JUDICIAL REFORM, AND OTHER
PRESSING ISSUES. ~~██████████~~

BOX

PRESSING THE GUATEMALAN MILITARY ON HUMAN RIGHTS

PRESIDENT SERRANO HAS PUT CONSIDERABLE PRESSURE ON THE ARMED
FORCES TO HALT HUMAN RIGHTS ABUSES AND HAS DEMANDED THAT MEN
INVOLVED IN TWO HIGH-PROFILE CASES BE HELD ACCOUNTABLE:

--IN NOVEMBER, SERRANO VOLUNTEERED TO TESTIFY AGAINST A NAVY CAPTAIN
AND SIX ENLISTED MEN CHARGED WITH THE MURDERS OF 11 CIVILIANS LAST
YEAR. THE PRESIDENT CLAIMS THE CAPTAIN CONFESSED TO HIM. ~~██████████~~
~~██████████~~, THE CAPTAIN RECENTLY WAS DISCHARGED FROM
THE NAVY AND WILL BE TRIED AS A CIVILIAN WITH NO MILITARY IMMUNITY
OR PROTECTION.

~~██████████~~ SERRANO IS PARTICULARLY CONCERNED
WITH RESOLVING THE MURDER OF MICHAEL DEVINE. IN JANUARY, A COURT
DECLARED THAT THERE WAS ENOUGH EVIDENCE TO REARREST AN ARMY CAPTAIN
IN CONNECTION WITH THE KILLING. DEFENSE MINISTER GARCIA AND THE HIGH
COMMAND HAVE ASSURED US OFFICIALS THEY INTEND TO HAVE THE CASE
SOLVED EXPEDITIOUSLY. ~~██████████~~

DRVW 14 FEBRUARY 2012.

ADMIN

BT

#1955

NNNN

~~NOFORN~~

~~SECRET~~
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~~TRACT~~

~~UNIVTEL~~

Central Intelligence Agency
Inspector General

REPORT OF INVESTIGATION



GUATEMALA: 1984-1995

ALLEGED HUMAN RIGHTS ABUSES
CONCERNING SELECTED U.S. PERSONS AND MYRNA MACK

(95-0152-IG)

September 15, 1995

Frederick P. Hitz
Inspector General

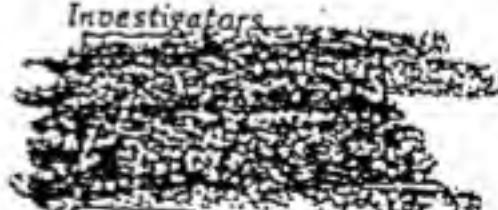
A. R. Cinquegrana
Deputy Inspector General
for Investigations

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Approved for Release
Date OCTOBER 1997

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Investigators



Assistants



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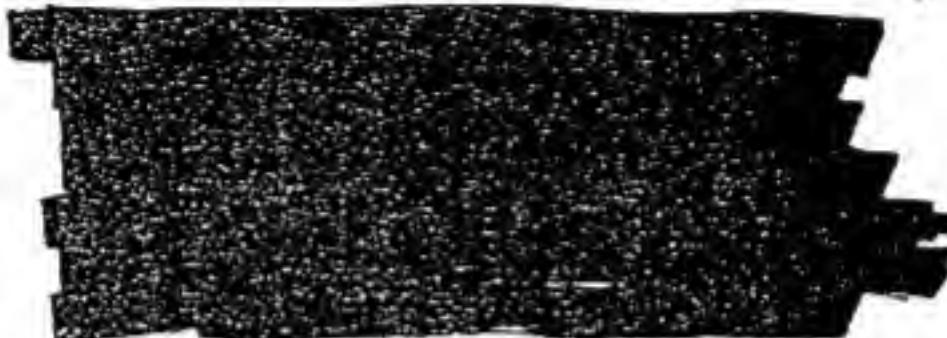
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THE ALLEGED ABDUCTION AND ABUSE OF SISTER DIANNA ORTIZ

66. Dianna Ortiz resided in Guatemala for two years while teaching indigenous children in Huehuetenango. On November 1, 1989, she traveled to Antigua to attend a religious retreat at the Posada Belen. According to Ortiz, while in the back yard of the Posada Belen on November 2, 1989, two men, one brandishing a hand grenade, kidnapped and forced her to accompany them by bus to Mixco. There they were met by two men in a police car. She was forced into the police car and driven to a building where she allegedly was tortured. She was then thrown into a pit with other torture victims, some already dead. During a subsequent torture episode, an individual by the name of Alejandro appeared on the scene and ordered that Ortiz be released because she was an American. While being transported to someone Alejandro said was a "friend of the American Embassy," she escaped from the vehicle, obtained money from a female passerby, and took a public bus to a travel agency. She then contacted the Maryknoll priests who came

for her. Ortiz visited the Papal Nuncio and departed Guatemala for the U.S. on November 4, 1989.

67. The Station and Embassy reported on the Ortiz case from November 1989 until May 1995. Despite much U.S. and Guatemalan Government interest over the years, the case remains unsolved. As early as November 1989, the Embassy reported that Ortiz's statements regarding the incident were inconsistent and contradictory. She was criticized for being uncooperative with Guatemalan authorities, and this hampered the investigation of her alleged kidnapping. In 1990, the Guatemalan Government concluded that the reported kidnapping of Ortiz was fabricated. At that time, the Embassy was not optimistic about a resolution of the case and determined that the case was inconclusive.

68. In 1991, Ortiz's attorney filed suit in the U.S. against former Minister of Defense General Hector Alejandro Gramajo Morales.

(b)(1)

(b)(3)

[REDACTED] The Guatemalan Government reopened the investigation in 1991 based on pressure from the U.S., but Ortiz continued to be uncooperative and unresponsive to questioning. Her visits to Guatemala in 1991 and 1992 to re-enact the kidnapping were unsuccessful because Ortiz provided little information to assist in the investigation. Her allegations about the kidnapping, rape and torture continued to be vague.

69. In 1992, a U.S. special investigator and a U.S. special prosecutor independently reached the conclusion that inconsistencies in Ortiz's statements made it impossible to determine who may have committed the acts against her. Both also indicated doubt regarding Ortiz's version of events. Ortiz returned to Guatemala again in 1993 and identified 10 police officers who resembled her captors. The Guatemalan Government pursued the leads in an investigation but was unable to make a positive identification of the abductors.

70. Ortiz visited Guatemala twice in 1994. However, the investigation did not progress because of a lack of new information. In 1995 a federal judge in Massachusetts decided in favor of Ortiz and others in their law suit against General Gramajo. The decision was based on the grounds that, as Minister of Defense at the time of the Ortiz kidnapping, he authorized the torture. \$47.5 million was awarded to Ortiz and eight Guatemalans residing in the U.S. who alleged human rights violations by the Guatemalans. As of May 1995, no payment had actually been made to any of the plaintiffs.

CIA Reporting

71. The Ortiz matter was handled primarily by the Embassy's American Citizen Services Section. CIA reporting on the case consisted of six Station Reports and four Intelligence Reports. With one exception, information originated by CIA refutes Ortiz's claim that she was kidnapped, raped and tortured by Guatemalan Government officials. The only report that substantiates Ortiz's claim is a draft cable, dated October 15, 1991, that was found in Station files.

72. November 7, 1989 Station Report. The COS met with the Minister of Defense on November 4, 1989. The Minister of Defense noted that the police had requested and been denied an interview with Ortiz. Therefore, a judicial order had been obtained so that Ortiz would be forced to speak to them. The Minister of Defense said that the U.S. could not have it both ways by complaining that the Guatemalan Government does not follow legal precepts and then, when it does, ask that it not do so. The COS agreed, but noted that the religious personnel involved in the case had better access to the U.S. press than did the Guatemalan Government. To pursue the matter in Guatemala would lead to even more unfavorable publicity. The Minister of Defense recommended that the COS speak to the Chief of Police, who agreed to let the matter pass.

73. October 15, 1991 Draft Station Cable. According to this draft Station cable, [REDACTED] had reported that Ortiz had been in contact with [REDACTED] (b) (1) (b) (3)

leftist guerrillas and this led to her arrest. He said that Ortiz was in fact kidnapped as she claimed, probably by the S-2 office of Military Zone 302, with headquarters in Chimaltenango. [REDACTED] (S)(1) (b)(1); opined that Ortiz was probably not raped or otherwise mistreated as she claimed, since women were not usually sexually molested and her captors would have killed her had she been subjected to physical mistreatment. Women were sometimes drugged and then released, leaving them disoriented and unable to recall what happened to them. This may, according to [REDACTED] have been the case with Ortiz. Although [REDACTED] was unable to provide further details about Ortiz, he was clear in stating that she, in fact, was kidnapped.

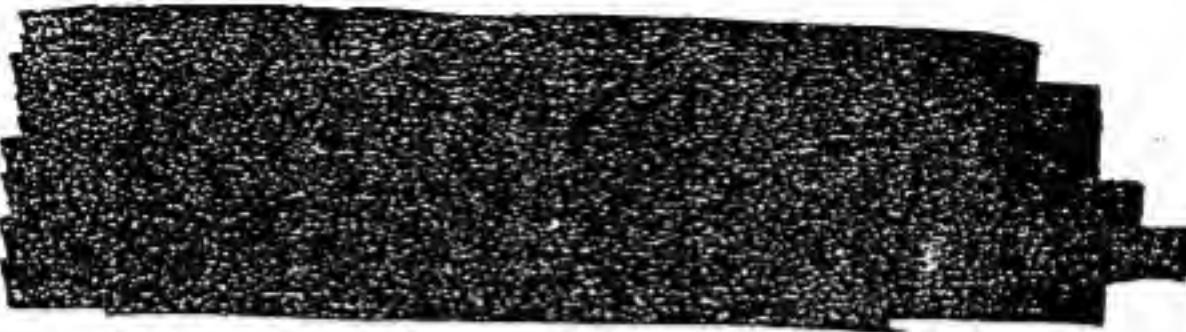
74. This draft cable contained additional information about alleged human rights violations in Guatemala. There is no indication the cable was ever forwarded to Headquarters.

75. December 20, 1991 Intelligence Report. [REDACTED] (b)(1); [REDACTED] that Guatemalan President Serrano dismissed former Minister of Defense General Luis Enrique Mendoza Garcia due to Mendoza's continued blocking of the investigations of several human rights cases, including the assault on Ortiz. Serrano hoped that Mendoza's dismissal eventually would help alleviate international pressure on Guatemala regarding the military and human rights issues.

76. The Station sent the information to Headquarters on December 20, 1991 and it was disseminated [REDACTED] (b)(1); on December 21, 1991 to:

U.S. Embassy, Guatemala;
NSA;
State, INR;
DIA;
Treasury;
White House Situation Room; and
USCINCSO.

(b)(1)
(b)(3)



77. April 9, 1992 Headquarters Cable. Headquarters requested that the Station provide an assessment of the Ortiz story and any information the Station may have regarding the incident.

78. April 10, 1992 Station Report. This report noted that the Station was not involved in Ortiz's current visit to Guatemala. Plans to reconstruct the alleged abduction, torture and rape were aborted because Ortiz became ill. She was scheduled to depart Guatemala on April 10. The Embassy individual with the most knowledge of the case was the political officer who handled the initial report of the incident and the Embassy follow-up. The case was being handled primarily by the Embassy's American Citizen Services Section. The Station report contained the political officer's summary of the case, and included information provided by [REDACTED] who were directly involved in the Guatemalan Government's investigation of the case.

79. [REDACTED]



[REDACTED], and an extensive investigation was undertaken to attempt to identify the police officers allegedly involved in the kidnapping. [REDACTED]

[REDACTED] no evidence was found to support the story told by Ortiz. Upon completion of the investigation, the investigators were convinced that Ortiz invented the story and that senior officials of the Roman Catholic hierarchy in Guatemala collaborated in turning the alleged incident into a political cause.

so.

(b)(1)

81. The Station report commented that neither the Station nor the Embassy found Ortiz's story credible. There were too many contradictions of fact, refusals to cooperate with law enforcement investigators, and convenient fainting spells when direct questions were asked about events.

82. This Station report contained no reference to the information confirming Ortiz's story contained in the October 15, 1991 draft Station cable prepared by Station 5.

83. April 1992 Station Report

claimed that, two days before Ortiz left her post in Huehuetenango in late October 1989, two guerrillas were captured near San Miguel Acatan. The two guerrillas had only one carbine and one round of ammunition between them. They were transported to the military zone in Huehuetenango and interrogated. They told military authorities that they had not eaten in three days and that they were waiting for Ortiz to bring them food and ammunition. No other information was provided in the Station report.

84. February 16, 1994 Intelligence Report

cast further doubt on Ortiz's story. She said the former site of the Guatemalan Military Academy could not possibly have been the location, as alleged by Ortiz, where she was

detained and physically and sexually assaulted by members of an unidentified Guatemalan Government security force.

85. [REDACTED] explained that the Guatemalan Military Academy was the location of the D-2 of the Guatemalan Armed Forces General Staff from 1982 until early 1985 when the D-2 moved out of the building and the site was turned over to the D-5 (Civil-Military Affairs) of the General Staff. [REDACTED] said that the D-2 had detention cells located in a converted laundry at the Academy, but that these detention cells were dismantled in early 1985 when the D-2 moved out of the building. Furthermore, [REDACTED] said that there had not been either an intelligence service or any facility for holding persons at the Academy since then. (b)(1) (b)(3)

86. [REDACTED] speculated that Ortiz may have been shown the site by persons interested in assisting her in fortifying her case against the Guatemalan Government and who would have known the site was formerly associated with government security forces. The Station sent this information to Headquarters on February 16 and it was disseminated [REDACTED] on February 17, 1994 to:

U.S. Embassy, Guatemala;

[REDACTED]
NSA

State, INR

DLA

Intelligence units of the Army, Navy, Marine Corps, and Air Force;

Treasury Department;

White House Situation Room;

DOE; and

USCINCSO.

87. November 8, 1994 Station Report. [REDACTED] opined [REDACTED] that Ortiz fabricated her story as part of a Guatemalan National Revolutionary Union (URNG)-directed effort to force an end to [REDACTED]. [REDACTED] commented that a foreign journalist met [REDACTED] during one of Ortiz's post-1989 visits to Guatemala. [REDACTED] explained that the foreign journalist advised [REDACTED] that he learned from URNG sources that the Ortiz story had been fabricated by the URNG and that it was intended to force an end to [REDACTED] funding of Guatemalan security services. [REDACTED] said that he could not recall the name or nationality of the foreign journalist, or recall when or where the meeting between the journalist and [REDACTED] took place. (b)(1) (b)(3)

88. A Station comment noted that three separate events surrounding the Ortiz case made her story appear questionable. First, Ortiz claimed that the site where she was held and tortured in 1989 was the old Military Academy that the D-2 moved out of in 1985, reportedly completely dismantling the holding facility. Second, Ortiz submitted to the Guatemalan courts an affidavit from a U.S. medical doctor attesting that the doctor had seen the alleged scars from cigarette burns on Ortiz's back. However, Ortiz refused to permit a Guatemalan court-appointed doctor to verify the scars. Third, Ortiz claimed, that during her torture, a Caucasian North American male identified as "Alejandro" by her kidnappers visited the site and spoke with her. Ortiz claimed that this same male took custody of her and told her that he would drive her to see a "friend of the North American Embassy." According to the Station, this portion of Ortiz's statement appeared to be an attempt to force the conclusion that Ortiz was kidnapped and tortured by a Guatemalan security service with which [REDACTED] had a liaison [REDACTED] and that [REDACTED] liaison officer must have been aware of her kidnapping and torture.

89. November 11, 1994 Intelligence Report. According to [REDACTED] in early November 1994, the Guatemalan military has never operated "clandestine prisons" to hold political prisoners as claimed by the URNG and its supporters. [REDACTED] said that captured guerrillas were held at military zone headquarters and at D-2 facilities, but that calling these "clandestine prisons" appeared to be an intentional exaggeration and misrepresentation on the part of the URNG. The holding cells located in the old Military Academy, where the D-2 was formerly housed, were used to hold persons while the D-2 debriefed them. The D-2 completely dismantled the cells when the D-2 relocated from that site.

90. A Station comment included in the Report stated that Ortiz's claim that she was held and tortured at the site of the old Military Academy was viewed as proof by the Guatemalans that Ortiz fabricated her claim to have been kidnapped and tortured. The Guatemalans believed she must have been told what to say by the URNG or its supporters.

91. This information was sent to Headquarters on November 11, 1994 and was disseminated [REDACTED] on November 11, 1994 to:

NSA;

State, INR;

DIA;

Intelligence units of the Army, Navy, Marine Corps,
and Air Force;

Treasury Department;

White House Situation Room; and

USCINCSO.

(S)(1)

(S)(3)

92. December [REDACTED] 1994 Station Report. Ambassador McAfee contacted COS [REDACTED] and said that she had received a call from a State Guatemalan desk officer who had been contacted by Ortiz. Ortiz inquired about an alleged "Media Management Course" sponsored [REDACTED] in Guatemala as reported in the "Central America Report." [REDACTED] told McAfee that this was probably the "Relations With The Media" course given [REDACTED] on November 14 and 15, 1994 as an extension of the Incident Management Seminar. [REDACTED] was providing this special follow-up course at the request of Guatemalan [REDACTED]. The course provided training to a broad segment of Guatemalan officials within the context of Incident Management.

93. May 1995 Intelligence Report

(5)(1)
(5)(3)

94.

Although there was no suggestion that Gramajo personally tortured Ortiz or the others, he was sued on the grounds that, as Minister of

Defense at the time, he had authorized the torture [REDACTED]

95. [REDACTED]

(b)(1)
(b)(3)

96. July 19, 1995 Station Report. Based on a telephonic request from Headquarters, [REDACTED] conducted a search of Station files for draft cable traffic related to human rights cases that the Station may not have forwarded to Headquarters. According to [REDACTED] contained no cables that had not been forwarded to Headquarters.

Other Reporting

97. CIA records contained 83 reports dealing with Ortiz. These included FBIS reporting, Embassy telegrams and Defense Attaché Reports. They are summarized as follows:

- November 3, 1989 FBIS Report. According to the press, Guatemalan Archbishop Prospero Penados del Barrio reported the kidnapping of Dianna Ortiz, a 20 year old nun from Colorado. Ortiz was reported kidnapped on November 2, 1989 in Antigua, Guatemala, where she was attending a seminar with other nuns.
- November 4, 1989 Embassy Telegram. Ambassador Stroock reported Ortiz was taken to the home of the Papal Nuncio. Stroock visited the home and noted Ortiz had large bruises/scratches on her left cheek. According to the Nuncio, she also had burns on her back. Stroock noted that Ortiz looked traumatized.
- November 4, 1989 [REDACTED] (b)(1)
[REDACTED] reported that Archbishop Prospero Penados del Barrio announced the kidnapping of Dianna Ortiz on November 3, 1989.
- November 6, 1989 Embassy Telegram. Stroock reported he made another attempt to visit Ortiz on November 4 but was not allowed to see her.
- November 6, 1989 Embassy Telegram. The Embassy suggested press guidance for the State Department based on available details regarding what happened to Ortiz. The guidance stated that Ortiz appeared to have been physically mistreated. However, she declined to provide details. Embassy officers attempted to meet with her on

four occasions to learn what had happened, but were unsuccessful.

- November 7, 1989 Embassy Telegram. Because of interest in a separate kidnapping in Mexico, the Guatemala City Embassy provided details to the U.S. Embassy in Mexico regarding Ortiz's kidnapping, release and departure from Guatemala.
- November 8, 1989 Embassy Telegram. The Embassy reported that the story released by the Archbishop surrounding the alleged disappearance and subsequent reappearance of Ortiz contradicted in important ways the story initially told to the Ambassador and Embassy officers. The Embassy noted that Ortiz's refusal to speak to U.S. representatives, either in Guatemala or the U.S., and the insistence on maximum publicity by those around her, led the Embassy to question the motives and timing behind the story. Stroock urged a full investigation by appropriate U.S. law enforcement agencies.
- November 8, 1989 FBIS Report. According to the Guatemalan press, the Guatemalan Government denied the existence of the "secret jails" denounced by Ortiz. The press reported that Ortiz was kidnapped, raped, tortured, and held by three men for 24 hours.
- November 16, 1989 FBIS Report. According to the Guatemalan press, former Guatemalan Interior Minister Valle described Ortiz's account of her kidnapping as "surprising and incredible." Valle noted that, if state security forces were responsible for the crime, they would never have used a public bus to transport the nun from Antigua to Mixco, as

she claimed. He also criticized Ortiz's failure to provide Guatemalan authorities with information so that they could investigate the incident.

- ♦ November 16, 1989 Embassy Telegram. The Embassy reported on continued Guatemalan Government, church and local press reaction to Ortiz's kidnapping and torture story. On November 9, Guatemalan President Cerezo said he doubted Ortiz's story. On the same day, an Army captain in the Presidential Guard charged with investigating Ortiz's case said he was at a dead end. The Papal Nuncio told Stroock for the first time that Ortiz was visited and treated by a doctor before she left Guatemala.
- ♦ November 20, 1989 Embassy Telegram. The Embassy reported that the Guatemalan Mutual Support Group had linked the United States with the kidnapping of Ortiz. The link was based on Ortiz's testimony that one of her alleged kidnappers mentioned "a friend in the U.S. Embassy."
- ♦ November 27, 1989 Embassy Telegram. The Embassy received a copy of the police investigation report of the alleged torture and kidnapping of Ortiz. The report, according to the Embassy, stated that all the bus drivers who drove on the Antigua-Mixco route were interviewed but none of them remembered any woman matching Ortiz's description boarding the bus.
- ♦ December 1, 1989 Embassy Telegram. Stroock met with two American Maryknoll priests to attempt to overcome religious community suspicion and antipathy toward the U.S. Embassy. Both priests recounted numerous past atrocities

against villagers and priests that they attributed to the Guatemalan Army. Neither priest accepted the general proposition that the human rights situation had improved under a civilian government.

- December 19, 1989 State Telegram. State Department issued its Central American update for November and noted that the Ortiz case had created a furor among religious and human rights groups in the U.S. It noted that the case may lead to renewed attempts in Congress to restrict assistance to Guatemala.
- January 12, 1990 FBI Report. The FBI reported to CIA, DoJ, State, Panama City, and two FBI field offices on the kidnapping of Ortiz. The FBI report provided no new information.
- January 26, 1990 Embassy Telegram. The Embassy reported that the investigation of the alleged kidnapping of Ortiz was stalled in an Antigua court. The presiding judge had prepared letters requesting that the appropriate U.S. authorities take a sworn statement from Ortiz and require that she undergo a physical examination.
- February 1, 1990 Embassy Telegram. The Embassy reported that a Guatemalan dermatologist told Embassy officers that he had examined Ortiz on November 3, 1989 and treated her for minor facial lacerations and burns on her back. The dermatologist stated that there could have been as many as 100 lesions or burns on her back. He explained that there were no follow-up visits because Ortiz left Guatemala for the U.S. the next day.

- February 3, 1990 State Telegram. The State Department issued its final version of the 1989 Human Rights Report for Guatemala. The report mentioned that the alleged torture case of Dianna Ortiz was under investigation. It also noted that the Guatemalan Government opened an investigation into the case and requested additional information from Ortiz. However, Ortiz did not accede to the request and the perpetrators remained unidentified.
- March 12, 1990 Embassy Telegram. The Embassy reported that Guatemalan Minister of Interior Carlos Morales Villatoro told reporters at a press conference that he believed the Ortiz incident was a "self-kidnapping." Morales criticized Ortiz and another recent kidnap victim for fleeing Guatemala without presenting their cases before the appropriate authorities. The Embassy commented that Morales expressed the conception held by many Guatemalans that Ortiz fabricated the entire incident.
- March 15, 1990 Embassy Telegram. The Guatemalan National Police provided a booklet to the Embassy entitled "Report on Investigations of Human Rights Related Cases in Guatemala: January 1989-February 1990." The Embassy commented that the booklet's discussion of the Ortiz case provided information already known, with the exception of the claim that a psychiatrist had asked Ortiz to go to the retreat in Antigua. This claim, according to the Embassy, was consistent with public statements by Morales that there were "certain aspects of Ortiz's life that he does not wish to make public."

- March 15, 1990 Embassy Telegram. The Embassy reported that Minister of Interior Morales and the police concluded that the reported kidnapping of Ortiz was a fake. It also stated that one of the local newspapers carried a paid advertisement from the conference of religious persons of Guatemala that disputed Morales's statement that Ortiz did not tell the truth.
- April 3, 1990 Embassy Telegram. The Embassy reported that Ortiz's attorney, Paul Soreff, told Stroock that he would write a letter to the public stating that neither he nor Ortiz accuses any employee of the U.S. Embassy of participating in her abduction and torture. The Embassy commented that it was not optimistic about a definitive resolution of Ortiz's case. Ortiz's physical and emotional states were said to be too fragile to allow her to be interviewed by anyone other than her closest colleagues.
- April 6, 1990 Embassy Telegram. The Embassy reported that Ortiz's attorney Soreff told Minister Morales that he was outraged by statements that Ortiz was involved in a "self-kidnapping." Morales told Soreff that as far as he was concerned the investigation was over and that it was a "self-kidnapping." Morales stated that the burden was now on Ortiz to make her case.
- April 30, 1990 Embassy Telegram. According to the Embassy, Soreff told Stroock that Guatemalan President Cerezo agreed to appoint a Special Commission to examine the Ortiz case. Soreff and other members of a delegation visiting Guatemala to discuss the Ortiz case accused the Embassy of bias and of spreading misinformation about Ortiz.

- May 31, 1990 State Telegram. The State Department reported that Soreff met with State officials in Washington and requested that they press for the establishment of a Guatemalan Special Commission to investigate the Ortiz case. Soreff requested a letter be sent to President Cerezo indicating the U.S. considered resolution of the Ortiz case to be important.
- June 14, 1990 Embassy Telegram. The Embassy reported that President Cerezo told Stroock that he believed the Special Commission should investigate and resolve the Ortiz case.
- September 27, 1990 Embassy Telegram. The Embassy's 1990 Country Human Rights Report stated that no progress was made in the Ortiz case. It reported that a police investigation and official statements cast doubt on Ortiz's claim that she was abducted and tortured by security forces. The Report noted that, despite many requests, Ortiz had not provided further information to Guatemalan or U.S. officials, and the case remained open with a lack of information hampering a serious investigation.
- November 23, 1990 Embassy Telegram. The Embassy reported that it opposed a representative of the State Department in Washington meeting with Ortiz. It stressed that such a meeting was a "lawyer's stunt" meant to blunt criticism of Ortiz's year long refusal to talk to FBI investigators.
- December 6, 1990 Embassy Telegram. Soreff told Stroock that he wanted the commission to look into the Ortiz case to be formed and operating as President Cerezo had promised. Soreff told Stroock that Cerezo refused to meet with him.

According to Ursuline head Sister, Francis Wilhem, Ortiz began to remember more details about her alleged kidnapping and torture. Ortiz, according to Wilhem, said that she now remembers that she was repeatedly raped, that rats were dropped on her, and that wine was poured on the cigarette burns on her back and dogs were brought in to lick the wine off. The Embassy commented that the Ortiz case is inconclusive and will remain so until she is willing to come forward and answer questions.

- ♦ December 12, 1990 Embassy Telegram. According to the Embassy, Sister Wilhem issued a press release that stated that the Guatemalan military and police were responsible for the kidnapping and torture of Dianna Ortiz. As a result, they chose not to do a thorough investigation of this case, instead calling her disappearance a "self-kidnapping."
- ♦ December 17, 1990 Embassy Telegram. The Embassy reported that the Ortiz case was being given extensive local publicity and was a subject in local electoral politics.
- ♦ December 20, 1990 Press Report. The local Guatemalan press reported that President Cerezo made a formal commitment to a group of U.S. legislators to allow Ortiz to take part in the investigation to ascertain who kidnapped and raped her.
- ♦ February 13, 1991 Embassy Telegram. A delegation representing Ortiz concluded its visit to Guatemala. The group issued a statement asking that a Guatemalan Presidential Commission meet before the end of February, or the Ortiz case would

be referred to international public opinion and the world press.

- May 7, 1991 Embassy Telegram. The Embassy's April 1991 Human Rights Summary for Guatemala noted that Guatemalan President Serrano, despite earlier promises, announced he would not form a commission to investigate Ortiz's allegations.
- June 21, 1991 Embassy Telegram. The Embassy reported that it polled every U.S. and foreign service national employee at the mission and did not find anyone who matched the description of "Alejandro" that had been provided by Ortiz.
- July 5, 1991 Embassy Telegram. The Embassy issued a standard reply letter to be used regarding the Ortiz case. The letter provided details on Ortiz and the Embassy's involvement in the case.
- July 20, 1991 State Telegram. State Department transmitted guidance on responding to Special Investigator Carl West's request to discuss the Ortiz case with Embassy officers. The Department requested that the Embassy contact Ortiz's attorney and ask West to submit his request in writing.
- August 1, 1991 Embassy Telegram. The Embassy reported that a religious legal delegation told Stroock that the Guatemalan Government was now serious about investigating Ortiz's case. Members of the delegation noted that Ortiz's suit against former Defense Minister General Gramajo was the result of Gramajo's continuing allegation that Ortiz's ordeal was the result of a lesbian affair gone bad.

- ♦ August 6, 1991 Embassy Telegram. The Embassy issued its Human Rights Report for July 1991 stating that a recent delegation led by Soreff was pleased with President Serrano's decision to name a special investigator and prosecutor to examine Ortiz's case.
- ♦ August 13, 1991 FBIS Report. On July 21, the Guatemalan press reported that former Guatemalan President Cerezo said that he was aware of security forces involvement in the abduction and torture of Ortiz. However, the Embassy reported that when the Deputy Chief of Mission spoke with Cerezo, he denied that he ever said such a thing.
- ♦ October 17, 1991 Embassy Telegram. The Embassy reported that Ortiz refused to meet with Special Investigator West—who was investigating Ortiz's case on behalf of the Guatemalan Government.
- ♦ October 21, 1991 Embassy Telegram. The Embassy reported in its FY 1991 Human Rights Report that the Guatemalan Attorney General appointed a special prosecutor and an investigator to examine the Ortiz case.
- ♦ November 22, 1991 Embassy Telegram. The Embassy reported that retired General Gramajo called the suit filed by the Center for Constitutional Rights a political maneuver and stated that "nobody believes the Ortiz story."
- ♦ December 6, 1991 Embassy Telegram. Guatemalan Special Prosecutor Linares explained to Stroock that he would not travel to Kentucky to interview Ortiz because he felt uneasy about the

terms of the interview. He noted that he urged Deputy Ombudsman Morales de Sierra to go instead.

- ♦ December 6, 1991 Embassy Telegram. The Embassy forwarded a copy of a memorandum from Deputy Ombudsman Morales de Sierra to Ombudsman De Leon describing Morales's attempt to interview Ortiz in Kentucky. Ortiz, according to the memorandum, was not cooperative and would not respond to questions.
- ♦ December 31, 1991 Embassy Telegram. Unknown assailants fired several shots at the home of the Deputy Human Rights Ombudsman who was working on the Ortiz case.
- ♦ January 3, 1992 State Telegram. State's final version of the FY 1991 Human Rights Report for Guatemala mentioned the Ortiz case as one of a number of human rights cases that remained unsolved.
- ♦ January 7, 1992 Embassy Telegram. The Embassy reported that Human Rights Ombudsman De Leon saw some improvement in Guatemala's overall human rights situation. De Leon stated he believed the Archbishop had gone beyond the evidence in his statements about Ortiz.
- ♦ February 7, 1992 Embassy Telegram. Stroock reported on plans for an Ortiz visit to Guatemala.
- ♦ February 21, 1992 Embassy Telegram. The Embassy reported on Ortiz's upcoming visit to Guatemala and her availability for an investigative interview. Special Prosecutor Linares called for a complete investigation into Ortiz's case and stated

that her judicial statements were essential to clarify inconsistencies in the facts.

- March 24, 1992 Embassy Telegram. The Embassy reported on Stroock's meeting with Human Rights Ombudsman De Leon. Stroock told De Leon that Ortiz planned to visit Guatemala April 5-9 and would stay at his residence.
- April 10, 1992 FBIS Report. FBIS relayed a transcript of Presidential Secretary General Orellana's statement on Ortiz's return to Guatemala.
- April 15, 1992 Embassy Telegram. The Embassy reported that Ortiz's visit to Guatemala provided little, if any, new information to enable the Guatemalan Government to investigate her case and bring the perpetrators to justice. The Embassy indicated that Ortiz's advisor carefully controlled her time and she was not exposed to any risk of contradicting herself or providing additional testimony that might have cast doubt on her version of events concerning the kidnapping.
- April 24, 1992 Embassy Telegram. A Guatemalan official told Deputy Assistant Secretary Joseph Sullivan that Ortiz's allegations about the rape, torture, and kidnap were vague. He stated his belief that the case was being manipulated politically and would be very difficult to resolve.
- April 30, 1992 Embassy Telegram. The Embassy provided a summary of Ortiz's visit to Guatemala and Carl West's investigation. West, according to the Embassy, stated that inconsistencies in Ortiz's statements made it impossible to determine who may have committed acts against her. Both the

Special Prosecutor and Judge Secaira doubted Ortiz's version of events.

- ♦ May 6, 1992 State Telegram. The State Department authorized a limited waiver of diplomatic immunity to permit Stroock to provide answers to questions concerning the Ortiz case at a Guatemalan court hearing.
- ♦ May 12, 1992 Embassy Telegram. The Embassy provided a list of questions from Judge Secaira that Stroock was to answer at the court hearing on the Ortiz case.
- ♦ May 19, 1992 Embassy Telegram. The Embassy reported that the Guatemalan Human Rights Commission report described naming a special prosecutor in Ortiz case.
- ♦ June 1, 1992 Embassy Telegram. The Embassy reported Stroock's responses to Judge Secairo's questions at the Ortiz hearing.
- ♦ July 6, 1992 Embassy Telegram. The Embassy reported that Monsignor Flores told Stroock that he doubted Ortiz's story.
- ♦ July 7, 1992 Embassy Telegram. Stroock reported on a meeting with Ortiz's attorneys where he requested they provide a listing of actions they would like the Guatemalan Government to take in the case. Stroock stated he would continue to press for resolution of the case.
- ♦ July 7, 1992 Embassy Telegram. The Embassy reported on Stroock's testimony to the Guatemalan court on the alleged abduction and torture of Ortiz.

- August 14, 1992 Embassy Telegram. The Embassy reported that Judge Secaira had been unexpectedly transferred.
- September 23, 1992, Embassy Telegram. The Embassy stated that Stroock requested that President Serrano respond to a July 31, 1992 letter from Attorney Shawn Roberts who was now representing Ortiz.
- September 28, 1992 Embassy Telegram. The Embassy reported that Human Rights Ombudsman De Leon Carpio told the Deputy Chief of Mission that Ortiz's story was very confused and she was not cooperative in efforts to resolve the case.
- November 18, 1992 Embassy Telegram. The Embassy transmitted its Human Rights Summary for September-October 1992. The summary stated that Judge Secaira resigned from the Ortiz case as a result of her transfer outside of the capital.
- December 10, 1992 Embassy Telegram. The Embassy reported Ortiz's psychological health was improving and she planned to return to Guatemala.
- March 9, 1993 Embassy Telegram. The Embassy reported on Ortiz's plan to return to Guatemala to complete judicial procedures, and of the Embassy's plan to assist in the visit.
- March 31, 1993 Embassy Telegram. The Embassy reported Ortiz's return to Guatemala on March 21 to complete judicial procedures. It also reported that she identified ten policemen who resembled her captors.

- April 5, 1993 Embassy Telegram. A Guatemalan Ministry of Foreign Affairs (MFA) note to the Embassy requests names of U.S. personnel collaborating with Guatemalan Security Forces in October and November 1989.
- April 28, 1993 State Telegram. The State Department disagreed with the Embassy response to the MFA inquiry and stated that it was unclear what the MFA means by the word "collaborating."
- May 6, 1993 Embassy Telegram. The Embassy proposed a different response to MFA and it was approved by the State Department.
- October 27, 1993 Embassy Telegram. Ambassador McAfee met with the Guatemalan Foreign Minister and provided him with a letter from the Senate Appropriations Committee that requested information and authorization to access military installations in connection with the Ortiz case.
- October 28, 1993 Embassy Telegram. The Embassy reported McAfee met with Bishop Gerardi who stated that, because of intransigence by the armed forces, his office considered closing the Ortiz case. Gerardi believed Ortiz was being excessively manipulated by her advisers.
- January 21, 1994 Embassy Telegram. McAfee met with Bannaca's American spouse, Jennifer Harbury, Ortiz and members of the Blake family.
- July 25, 1994 Embassy Telegram. The Embassy reported that former National Police Director Cifuentes stated he surmised Ortiz was abused by soldiers. Cifuentes promised to review the Ortiz

case file and develop a strategy for continuing the investigation.

- ♦ November 5, 1994 Embassy Telegram. The Embassy reported McAfee met with Ortiz and two other members of "Coalition Missing" to discuss the Harbury/Bamaca case.
- ♦ November 8, 1994 Embassy Telegram. The Embassy reported Ortiz met with McAfee and expressed concern that officials in the Guatemalan Government had a vindictive attitude toward Harbury.
- ♦ November 18, 1994 Embassy Telegram. The Embassy reported that Assistant Secretary John Shattuck and McAfee met with Prosecutor Ramses Cuestas. Cuestas stated the Ortiz case was stalled due to an inability to identify a suspect in the abduction. Cuestas said he hoped for a resolution of the case in four to five months.
- ♦ December 29, 1994 Embassy Telegram. The Embassy issued its Human Rights Report for 1994. The report mentions that Ortiz returned to Guatemala in January and November to press authorities to take action on her case.
- ♦ April 20, 1995 FBIS Cable. An FBIS cable from Panama City provided a transcript of Gramajo's interview after the \$45.7 million judgment against him by a U.S. judge.
- ♦ April 27, 1995 Embassy Telegram. The Embassy reported MINUGUA (the UN Human Rights Verification Commission) Director Leonardo Franco stated former Minister Gramajo requested intercession to obtain a public statement from the

Embassy that Ortiz was permitted to leave Guatemala as a result of former Ambassador Stroock's intervention.

- May 6, 1994 Embassy Telegram. The Embassy reported that Gramajo stated he expected to run for President and expressed concern over the Ortiz lawsuit.

Personnel Recollections

98. Agency personnel who were knowledgeable of the Ortiz case recall the inconsistencies and contradictions in Ortiz's various testimonies about the incident. [REDACTED]

(b)(1)
(b)(3)

99. Former Station officers also doubted Ortiz's versions of the kidnapping. [REDACTED]

[REDACTED]

100. According to former Ambassador Stroock, Ortiz suffered some form of trauma. However, her story and the alleged connection to the Embassy did not withstand scrutiny.